

## **REMARKS/ARGUMENTS**

In the Office Action of April 5, 2004, all of the Claims 1, 3-5, 7-9, 11, 13, 14, 16, 17 and 19-29 as pending in the present application were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Application Publication No. US 2001/0003846 to Rowe, et al. It is respectfully requested that this rejection of the claims be withdrawn in view of the arguments that follow and that the claims, as pending, be allowed for the following reasons.

It is first respectfully noted that a claim is anticipated under 35 U.S.C. § 102(e) only if each and every element that is set forth in the claim is found, either expressly or inherently described, in the cited prior art reference. The identical invention must be shown in the cited reference in as complete detail as is contained in the claim. (See MPEP 2131.)

Rowe, et al. describes a system and method for distributing streaming media, such as television productions. As described in Rowe, et al., media productions, such as weather reports for national and local or regional audiences, are assembled at a network operations center 300 and then distributed to several remote channel origination nodes in a multiplexed manner. (See, e.g., Fig. 3A of Rowe, et al.) The resulting streaming media production may be viewed on a multi-windowed display screen 60 in which different portions of the streaming media production, e.g., a television weather information program product, are shown in a main programming window 62 and several ancillary windows 64, 66. (See, e.g., Figs. 2A and 2B and paragraphs [0066] through [0074] of Rowe, et al.) Several different conventional ways of presenting a television weather program product are described or suggested in Rowe, et al. These include the use of on-screen presenters, computer graphics, etc. Although it is envisioned that a combined graphical information and time-lapse photography presentation in accordance with the present invention may be distributed to viewers by the system and method for distributing streaming media as described in Rowe, et al., it is respectfully submitted that Rowe, et al. does not describe or suggest a combined graphical information and time-lapse photography presentation, or a system and method for making such a presentation, as described and claimed in the

present application, as amended.

Claim 1 of the present application is drawn to a method for generating a combined graphical information and time-lapse photography presentation by obtaining a time-lapse photography video image sequence, generating a dynamic graphical information presentation, and combining the dynamic graphical information presentation with the time-lapse photography video image sequence to form a combined graphical information and time-lapse photography presentation. Claim 1 specifies that a time-lapse photography video image of changing sky conditions over a selected time period is obtained, that weather information is recorded over the selected time period, that the dynamic graphical information presentation is a computer generated dynamical graphical information presentation of changing weather conditions over the selected time period generated from the recorded weather information, and that the dynamic graphical information presentation and time-lapse photography video image sequence are combined in a time synchronized manner such that when the presentation is played back the presentation shows simultaneously time synchronized dynamically changing sky conditions and weather conditions over the selected time period. In other words, in a combined graphical information and time-lapse photography presentation in accordance with the present invention, for any given point in time during the combined presentation the graphical weather information presented at that time in the combined presentation may correspond to the weather information obtained at the same , or substantially the same, point in real time, as the corresponding video image frame was taken. (See, e.g., paragraph [0038] and Figs. 2 and 3 of the application specification.) It is respectfully submitted that such a combined graphical information and time-lapse photography presentation of weather conditions is not described or suggested in Rowe, et al..

The Examiner suggests in the Office Action that various specific paragraphs of Rowe, et al. describe various of the features of Claim 1, as amended. Although Rowe, et al. describes generically generating a weather report consisting of various program elements it is respectfully submitted that Rowe, et al. does not describe or suggest the specific elements and combinations of elements featured in Claim 1. Specifically, Claim 1 features obtaining a time-lapse photography video image sequence of sky

conditions and combining the time-lapse photography video image sequence with a dynamic graphic information presentation of changing weather conditions in a time synchronized manner. It is respectfully submitted that Rowe, et al. does not describe, mention, or even suggest the use of time-lapse photography video image sequences. Time-lapse photography video image sequences of sky conditions are never mentioned or illustrated in Rowe, et al. Since time-lapse photography video image sequences are not mentioned in Rowe, et al. it is submitted that Rowe, et al. cannot describe or suggest combining time-lapse photography video image sequences with a dynamic graphical information presentation of changing weather conditions in a time-synchronized manner, as featured in Claim 1. Nothing in Rowe, et al. describes or suggests that or how a combined graphical information and time-lapse photography presentation as featured in Claim 1 (and illustrated in Fig. 2 of the application specification) may be generated.

For the foregoing reasons it is respectfully submitted that Claim 1 is not anticipated by, or unpatentably obvious over, Rowe, et al., and is, therefore, in condition for allowance. Claims 3-5 and 7-9 depend, either directly or indirectly from Claim 1 and incorporate the features thereof. Therefore, it is respectfully submitted that dependent Claims 3-5 and 7-9 also are in condition for allowance.

Claim 11 of the present application is drawn to a system for generating a combined graphical information and time-lapse photography presentation. Claim 11 features means for performing the functions recited in Claim 1. Therefore, it is respectfully submitted that Claim 11 is not anticipated by, or unpatently obvious over, the cited reference, and is, therefore, also in condition for allowance. Claims 13, 14, 16, 17, and 19 depend from Claim 11, and incorporate the features thereof. Therefore, it is respectfully submitted that these claims also are in condition for allowance.

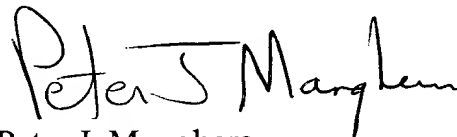
Claim 20 of the present application is drawn to a method for generating a combined dynamic graphical information and video sequence weather forecast presentation. Claim 20 is similar to Claim 1. Claim 20 differs from Claim 1, however, in that the weather information used for generating the dynamic graphical information presentation is specified in Claim 20 to be weather forecast information. It is thus respectfully submitted that Claim 20 is thus not anticipated by, or

unpatentably obvious over, the cited reference, and is, therefore, also in condition for allowance, for the reasons discussed above with respect to Claim 1. Claims 21-24 depend, either directly or indirectly, from Claim 20, and incorporate the limitations thereof. Therefore, it is respectfully submitted that dependent Claims 21-24 also are in condition for allowance.

Claim 25 is directed to a system for generating a combined graphical information and video sequence weather forecast presentation. Claim 25 features means for performing the functions recited in method Claim 20. Therefore, it is respectfully submitted that Claim 25, and Claims 26-29 which depend therefrom, also are not anticipated by, or unpatentably obvious over, the cited reference and are, therefore, also in condition for allowance.

For the foregoing reasons it is respectfully submitted that all of the Claims 1, 3-5, 7-9, 11, 13, 14, 16, 17, and 19-29 pending in the application are in condition for allowance. Favorable action on the present application is, therefore, respectfully requested.

Respectfully submitted,

A handwritten signature in black ink that reads "Peter J. Manghera". The signature is written in a cursive, flowing style.

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